



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: JOSEPH

Examiner: Kim

Application No.: 10/622,567

Group Art Unit: 3752

Filed: 07/21/2003

Confirmation No. 4801

Docket: 051252-5244
2002P18439

For: Fuel Injector Including An Orifice Disc,
And Method Of Forming The Orifice Disc Including Punching And Shaving

Attention: Office of Petitions
Commissioner for Patents
Alexandria, VA 22313-1450
FAX (571) 273-8300

PETITION TO WITHDRAW IMPROPER NOTICE OF ABANDONMENT

Sir:

Applicant hereby petitions to withdraw the Notice of Abandonment mailed on February 3, 2009 as being improper since a timely Issue Fee Transmittal (copy attached as APPENDIX A) was filed by the Applicant on January 9, 2009 as indicated by the certificate of mailing. The Issue Fee was authorized to be charged to Deposit Account No. 50-4662.

Applicant submits that the Issue Fee was timely paid even though the incorrect Serial Number was listed on the Issue Fee Transmittal of January 9, 2009. The Issue Fee Transmittal listed the incorrect Serial No. 10/662,567 instead of the correct Serial No. 10/622,567. The incorrect Serial No. 10/662,567 is issued Patent No. 7185519. Thus, no Issue Fee was due in that application and the Office should have been aware of error in the Serial Number.

The Issue Fee Transmittal correctly identified the application by Title, Filing Date, Inventor Name, Confirmation Number, and Attorney Docket No. Thus, the Issue Fee was properly paid and a Notice of Abandonment was improperly issued.

A substitute Issue Fee Transmittal is enclosed along with a check for the Issue Fee amount.

Furthermore, since a USPTO error resulted in abandonment, Applicant submits that no fee is due. If a fee is due, please charge the fee to Deposit Account 50-0687 under Order No. 31-225 and consider this Petition.

Respectfully submitted,



Edward J. Stemberger
Registration No. 36,017
Attorney for Applicant
Tel. No. (202) 261-1014

February 10, 2009

Customer No. 79912

APPENDIX A

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 or Fax (571) 273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

Customer Number 075227

Continental Automotive Systems US, Inc.
 Attn: Intellectual Property Department
 2400 Executive Hills Blvd
 Auburn Hills, MI 48326

incorrect



Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

Wanda Bland	(Depositor's name)
<i>Wanda Bland</i>	(Signature)
1-9-09	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/662,567	07/21/2003	J. Michael Joseph	2002P18439 051252-5244	4801

TITLE OF INVENTION: FUEL INJECTOR INCLUDING AN ORIFICE DISC, AND A METHOD OF FORMING THE ORIFICE DISC INCLUDING

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	1440	300	1810	01/12/2009

EXAMINER	ART UNIT	CLASS-SUBCLASS
KIM, CHRISTOPHER S.	3752	239-533120

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363). <input checked="" type="checkbox"/> Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached. <input checked="" type="checkbox"/> "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.	2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.
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3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

Continental Automotive Systems US, Inc.

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

2400 Executive Hills Blvd. Auburn Hills, Michigan 4832-2980

Please check the appropriate assignee category or categories (will not be printed on the patent): Individual Corporation or other private group entity Government

4a. The following fee(s) are enclosed:

- Issue Fee
- Publication Fee (No small entity discount permitted)
- Advance Order - # of Copies _____

4b. Payment of Fee(s):

- A check in the amount of the fee(s) is enclosed.
- Payment by credit card. Form PTO-2038 is attached.
- The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number 50-4662 (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.

b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature

Date 01/09/2009

Typed or printed name Gerlinde M. Nattler

Registration No. 51272

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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